



Federal Communications Commission  
Washington, D.C. 20554

DA 07-818

February 23, 2007

Mr. Andrew Ostrow  
GlobeCast North America Incorporated  
7291 NW 74<sup>th</sup> St  
Miami, FL 33166

Re: Call Sign E070003  
File No. SES-LIC-20070105-00022

Dear Mr. Ostrow:

On January 2, 2007, GlobeCast North America Incorporated (GlobeCast) filed the above-captioned application seeking an earth station license to operate a 1.5-meter antenna in the extended and conventional Ku-bands.<sup>1</sup> For the reasons stated below, we dismiss the application as defective without prejudice to refile.

Pursuant to the U.S. Table of Frequency Allocations, 47 C.F.R. § 2.106, use of the 12.2-12.7 GHz band is limited to the Broadcast Satellite Service. In its application, GlobeCast does not propose to provide Broadcast Satellite Service. Further, GlobeCast indicates that its earth station will receive in the 12.7-12.75 GHz band. The allocation for this band in the Table of Frequency Allocations is designated for uplink transmissions only. Further, Footnote US356 of the U.S. Table of Frequency Allocations, 47 C.F.R. § 2.106, and Section 25.204(f) of the Commission's rules, 47 C.F.R. § 25.204(f), require earth stations operating in the 13.75-14.0 GHz band to have an antenna size of at least size 4.5 meters and operate with an EIRP between 68 and 85 dBW. GlobeCast however, proposes to use a 1.5 meter antenna and operate with a maximum EIRP of 25.44 dBW for its emissions in this band. GlobeCast does not request a waiver of the Table of Frequency Allocations to permit its proposed non-conforming uses.

In addition, the 10.95-11.7 and 12.2-12.75 GHz bands are shared on a co-primary basis with the Fixed Service. Section 25.203(c)<sup>2</sup> of the Commission's rules requires earth station applications seeking authority to use these bands to include a Frequency Coordination Report with respect to Fixed Service operations. In response to Question E18, however, Globecast incorrectly claims that frequency coordination is not required and did not submit a Coordination Report.

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<sup>1</sup> The application lists the 1095-1170, 1170-1220, 1220-1275, and 1375-1450 MHz bands as the proposed frequencies. We assume that GlobeCast intended to operate in the 10950-11700, 11700-12200, 12200-12750, and 13750-14500 MHz bands.

<sup>2</sup> 47 C.F.R. § 25.203(c).

Further, GlobeCast did not submit certain required information in its application. It did not include a Radiation Hazard Analysis as required for all new transmitting facilities in response to Question 28 of Form 312. It also did not include a response to items E57 and E59 of Schedule B concerning the easternmost and westernmost elevation angles, nor any information in response to items E54/55 of Schedule B concerning the range of satellite arc in which it intends to communicate.

Last, in response to item E47 of Schedule B, GlobeCast proposes an emission designator of 9M0G7F. Pursuant to Section 2.201 of the Commission's rules, 47 C.F.R. § 2.201, the portion of the emission designator indicating bandwidth must be exactly four characters.

Given the above, the application is incomplete and will be dismissed on these bases. Nevertheless, we take this opportunity to apprise GlobeCast of other issues with its application that it should correct if it chooses to refile it. In response to item E49 of Schedule B, GlobeCast indicates that the equivalent isotropic radiated power density (e.i.r.p. density) per carrier is -8.08, -14.56, and -16.32 dBW/4 kHz for the 9M0G7F, 40M0F7F, and 60M0G7F emissions, respectively. In response to item E48 of Schedule B, GlobeCast indicates that the maximum e.i.r.p. per carrier for all of the emissions is 25.44 dBW. These values are quite low and appear to be inconsistent with viable satellite operations. GlobeCast should confirm these values in any refiling.

Further, in response to Question 20 of Form 312, GlobeCast indicates that the nature of service is the "Mobile Satellite Service". In response to Question 25 of Form 312, however, GlobeCast indicates that the class of station is "Temporary-Fixed". These two service characterizations are inconsistent with each other. Under Commission rules, a terminal that does not transmit while in motion but is portable and transmits at various locations for periods less than six months is a Temporary-Fixed Earth Station which is part of the Fixed Satellite Service. An earth station that transmits while in motion operates in the Mobile Satellite Service. GlobeCast should clarify its proposed service in any refiling.

Additionally, pursuant to Section 25.111(a) of the Commission's rules, 47 C.F.R. § 25.111(a), GlobeCast should list the specific satellites which it intends to communicate in each extended Ku-band segment to allow us to process those portions of any use of the extended Ku-band frequencies.

Accordingly, pursuant to Section 25.112(a)(1) of the Commission's rules, 47 C.F.R. §25.112(a)(1), and Section 0.261 of the Commission's rules on delegations of authority, 47 C.F.R. §0.261, we dismiss the application without prejudice to refiling.<sup>3</sup>

Sincerely,

Scott A. Kotler  
Chief, Systems Analysis Branch  
Satellite Division  
International Bureau

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<sup>3</sup> If GlobeCast refiles an application identical to the one dismissed, with the exception of supplying the corrected information, it need not pay an application fee. See 47 C.F.R. § 1.1109(d).